

Senator Burton moved to adjourn until to-morrow at 9 o'clock A. M.
Carried, by the following vote:

YEAS—Senators Burton, Edwards, Ford, Grace, Guy, McCulloch, Moore, Motley, Piner, Ripetoe, Thompson—12.

NAYS—Senators Brown, Francis, Henry J. R., Henry F. M., Hobby, Ledbetter, McLeary, McCormick, Smith, Storey, Terrell—11.

NOT VOTING—Senators Blassingame, Douglass, Martin—3.

NINETY-NINTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, August 12, 1876. }

Senate met pursuant to adjournment. President *pro tem.* in the chair.
Roll called. Quorum present. Prayer by the Chaplain.

The journal of yesterday adopted.

A message was received from the House, announcing the passage of the following bills:

Substitute for House Bill No. 156—"An Act to enforce the collection of delinquent taxes upon lands assessed since January, 1870."

House Bill No. 407—"An Act providing for the filling of vacancies in the offices of County Treasurer, County Surveyor and Hide Inspectors."

Senate Bill No. 322—"An Act to provide for the holding of District Courts when the Judge thereof is absent, or is, from any cause, disabled or disqualified from presiding," with amendments.

Senate Bills Nos. 80 and 82—"An Act to create the Department of Insurance, Statistics and History."

Senate Bill No. 381—"An Act to provide for the transferring of all criminal cases in which indictments have been found, to the proper court having jurisdiction thereof."

Senator Edwards was excused until 10 o'clock A. M.

On motion of Senator Ball, Senator Guy was excused for 10 days, commencing in the morning.

On motion of Senator Storey, Senator Hobby was granted an indefinite leave of absence.

Senator Piner was excused until 10:30 A. M.

The President *pro tem.*, after reading its caption, signed the following bill:

Senate Bill No. 375—"An Act to provide for supplying lost records in certain cases."

Senator Grace, Chairman of the Committee on Military Affairs, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate:

Your Committee on Military Affairs, to whom was referred Joint Resolution No. 386, "To authorize the Governor to give or make such bond as is required to secure to the State the quota of arms to which it may be entitled, by virtue of a joint resolution of the Congress of the United States," approved July 3, 1876, have carefully examined the same and direct me to report it back, with the recommendation that it be adopted.

GRACE, *Chairman.*

Senator Hobby, Chairman of Judiciary Committee No. 1, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate :

Your Judiciary Committee No. 1, to whom was referred House Bill No. 416, entitled, "An Act to prohibit the Judges of County Courts in this State from practicing as attorneys or counselors-at-law in the County Courts and the Courts of the Justices of the Peace in this State, and to affix a penalty for a violation of its provisions," have instructed me to report it back and recommend its passage. *Hobby, Chairman.*

Senator Storey, Chairman of the Committee on Finance, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate :

Your Committee on Finance, to whom was referred Senate Bill No. 384, entitled, "An Act to make available the unexpended balance of the appropriation of May 4, 1874, for the office of Adjutant-General, for the purchase of arms, etc.," have had the same under consideration, and instruct me to report it back and recommend that it do pass.

STOREY, Chairman.

Senator Terrell, from Judiciary Committee No. 1, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate :

Your Judiciary Committee No. 1, to whom was referred Senate Bill No. 383, entitled, "An Act to validate the acts of the Commissioners' Courts throughout the State of Texas, from April 18, 1876, to August 15, 1876," have had the same under consideration, and instruct me to recommend its passage.

TERRELL, for Committee.

House Bill No. 193—"An Act to repeal an act to provide for the registration of births," was taken up by the President *pro tem.* and referred to Judiciary Committee No. 1.

Senate Bill No. 128—"An Act to be entitled, 'An Act to carry into effect Section 11, Article 16 of the Constitution,'" was taken up, and on motion of Senator Ball, was postponed until 10 o'clock to-morrow morning.

House Bill 411—"An Act to make appropriations for the support of the State Government for the fiscal years ending August 31, 1877 and 1878, and for the additional period of time ending December 31, 1878," was taken up and read first time.

Senate Bill No. 120—"An Act to amend the 12th Section of an act entitled, 'An Act concerning proceedings in the District Courts,' approved March 16, 1848."

Also, to repeal Section 1 of an act entitled, "An Act further regulating proceedings in the District Courts, approved February 5, 1858," was taken up, read second time and ordered engrossed.

On motion of Senator Wortham, House Joint Resolution No. 281, "To grant limited use of a certain tract or lot of land in the city of Austin to the Methodist Episcopal Church, South, of said city," was taken up, read third time and passed.

Senate Bill No. 136—"An Act to be entitled, 'An Act to repeal an act supplementary to the act of January 28, 1840, concerning wills,'" was taken up, with an adverse report of the committee, read second time, report of the committee adopted, and bill lost.

Senator Grace, Chairman of Committee on Enrolled Bills, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate :

Your Committee on Enrolled Bills have carefully examined, compared and found correctly enrolled the following bill:

Senate Bill No. 375, entitled—"An Act to provide for supplying lost records in certain cases."

The same has been properly signed and presented to the Governor, this day, at 9:30 o'clock A. M., for his approval. GRACE, *Chairman.*

On motion of Senator Martin, Senate Bill No. 322, "An Act to provide for the holding of District Courts when the Judge thereof is absent, or is, from any cause, disabled or disqualified from presiding," with amendments by the House, was taken up and House amendments concurred in.

On motion of Senator Grace, the rules were suspended, and Senate Bill No. 383, "An Act to validate the acts of the Commissioners' Court throughout the State of Texas, from the 18th of April, 1876, to the 15th of August, 1876," was taken up, read second time and ordered engrossed.

Senator Grace moved the further suspension of the rules to place the bill on its third reading.

Carried, by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Crain, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCormick, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—25.

NAYS—None.

NOT VOTING—Senators Burton, McCulloch—2.

Bill read third time and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Crain, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCormick, McCulloch, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—26.

NAYS—None.

NOT VOTING—Senator Moore—1.

On motion of Senator Douglass, the rules were suspended, and House Bill No. 160, "An Act fixing the times of holding the District Courts of the Seventh Judicial District of the State of Texas," was taken up and read second time.

Senator Douglass offered the following amendments:

Amend Section 1 by striking out, in lines 14, 15 and 16, the following: "In the county of Rains, on the eleventh Monday after the second Monday in March, and may continue in session one week."

In Section 1, lines 36, 37, 38 and 39, strike out the following: "In the county of Rains, on the eleventh Monday after the second Monday in September, and may continue in session one week."

Adopted.

Also, add the following amendment:

"SEC. 2. That an important public necessity and emergency exist to conform the times for holding the courts in said district to the terms of an act detaching Rains county therefrom, that this act take effect and be in force from and after its passage."

Adopted.

Bill then passed to a third reading.

Senator Douglass moved a further suspension of the rules, to place the bill on its third reading.

Carried, by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCormick, Motley, Ripetoe, Smith, Stephens, Storey, Thompson, Wortham—21.

NAYS—None.

NOT VOTING—Senators Brady, Burton, Crain, McCulloch, Moore, Piner, Terrell—7.

Bill read third time, and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Crain, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCulloch, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Thompson, Wortham—24.

NAYS—None.

NOT VOTING—Senators McCormick, Moore, Terrell—3.

The President, after reading its caption, signed Senate Bill No. 381, "An Act to provide for the transferring of all criminal cases, in which indictments have been found, to the proper court having jurisdiction thereof."

A message was received from His Excellency, the Governor.

On motion of Senator Martin, the rules were suspended, and House Bill No. 180, "An Act for the relief of the citizens of Montague county," was taken up, and read first time.

On motion of Senator Martin, the rules were further suspended, to place the bill on its second reading, by the following vote:

YEAS—Senators Ball, Blassingame, Burton, Crain, Douglass, Edwards, Francis, Grace, Guy, Henry F. M., Ledbetter, Martin, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Thompson, Wortham—23.

NAYS—Senator Brown—1.

NOT VOTING—Senators Brady, Ford, Henry J. R., Terrell—4.

The bill was then read second time.

On motion of Senator Martin, the report of the Committee on Finance, recommending that it do not pass, was rejected.

Senator Stephens offered the following amendment:

Insert, after the word, "citizens," Section 1, line 4, the following words, "of the northern half of the county."

Adopted.

The bill was then passed to a third reading.

On motion of Senator Ball, the rules were suspended, to place the bill on its third reading, by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Crain, Douglass, Edwards, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCormick, McCulloch, Moore, Piner, Ripetoe, Smith, Storey, Terrell, Thompson, Wortham—25.

NAYS—None.

NOT VOTING—Senators Brady, Francis, Motley—3.

The bill was then read third time and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Crain, Douglass, Edwards, Ford, Grace, Guy, Henry J. R., Ledbetter, Martin, McCor-

mick, McCulloch, Moore, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—23.

NAYS—None.

NOT VOTING—Senators Brady, Burton, Francis, Henry F. M., Motley—5.

A message was received from the House, announcing that that body had adopted the report of the Committee of Free Conference on the disagreement between the two Houses on House Bill No. 69, entitled, "An Act to provide for the election of Justices of the Peace, and to define their powers and jurisdiction;" also that the House has appointed as a Committee of Free Conference, on House Bill No. 37, entitled, "An Act regulating the assessment and collection of taxes," Representatives McComb, Cochran and Wurzbach; also, that the House had passed House Bill No. 339, entitled, "An Act to provide for the speedy assessment and collection of taxes upon land and real estate, in cases when such property has been subject to taxation by law, but the assessment thereof has been omitted."

Senator Terrell, from Judiciary Committee No. 1, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate:

Your Judiciary Committee No. 1, to whom was referred a resolution requiring the election of a President *pro tempore* on Saturday, August 12, at 12 o'clock, m., have had the same under consideration, and a majority of said committee instruct me to report the same back and recommend that it be not adopted.

The question being the adoption of the report of the committee, Senator Terrell moved a call of the Senate.

Seconded.

Roll called.

ABSENT—Senators Brady, Francis, Motley—3.

Pending the call, the resolution and report went to the table.

On motion of Senator Piner, the rules were suspended, and House Bill No. 339, "An Act to provide for the speedy assessment and collection of taxes upon land and real estate, in cases where such property has been subject, by law, to taxation, but the assessment thereof has been omitted," was taken up, and read first time.

Senator Wortham in the chair.

Senator Edwards moved that fifty copies of the bill be printed, and that it be made the special order for Monday morning at 10 o'clock.

Withdrawn.

Senator Storey moved that the bill be referred to Judiciary Committee No. 2, with instructions to report on Monday morning; and that the bill be printed and made the special order for Monday next, at 10 o'clock A. M.

Senator Crain moved a call of the Senate.

Not seconded.

Senator Storey's motion was then lost by the following vote:

YEAS—Senators Brown, Crain, Douglass, Edwards, Henry J. R., Henry F. M., Ledbetter, McCormick, Ripetoe, Storey, Terrell, Wortham—12.

NAYS—Senators Blassingame, Burton, Francis, Grace, Guy, Martin, McCulloch, Moore, Motley, Piner, Smith, Stephens, Thompson—13.

NOT VOTING—Senators Ball, Brady, Ford—3.

Senator Edwards renewed his motion to print and make the bill the special order for Monday next, at 10 o'clock A. M.

Lost by the following vote:

YEAS—Senators Brown, Crain, Douglass, Edwards, Henry J. R., Henry F. M., Ledbetter, McCormick, Ripetoe, Storey, Terrell, Wortham—12.

NAYS—Senators Blassingame, Burton, Francis, Grace, Guy, Martin, McCulloch, Moore, Motley, Piner, Smith, Stephens, Thompson—13.

NOT VOTING—Senators Ball, Brady, Ford—3.

A message was received from the House, announcing the passage of the following bills:

Senate Bill No. 288—"An Act to provide for the guardianship of persons and estates of minors, and persons of unsound mind, and habitual drunkards."

House Bill No. 436—"An Act to establish an Agricultural and Mechanical College for the benefit of colored youths of the State of Texas."

Senator Storey, by leave, introduced a bill to be entitled, "An Act supplemental to an act entitled, 'An Act making appropriations for the deficiencies for the present year, beginning September 1, 1875, and ending August 31, 1876, and previous years.'"

Read by caption, and referred to Committee on Finance.

Senator Stephens, from the Committee on State Affairs, by leave, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate:

Your Committee on State Affairs have had under consideration Senate Bill No. 385, "An Act to provide for the survey and sale of certain personal property belonging to the State," and instruct me to report the same back, with the recommendation that it do pass.

STEPHENS, *for Committee.*

Senator Brown, from the Committee on State Affairs, by leave, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate:

Your Committee on State Affairs, to whom was referred House Bill No. 343, "An Act to amend an act entitled, 'An Act for the protection of the wool growing interest of the State,'" approved May 2, 1874, have had the same under consideration, and instruct me to return it to the Senate, and recommend that it pass.

BROWN, *for Committee.*

Senator Crain moved that the Senate adjourn till Monday at 9 o'clock.

Lost by the following vote:

YEAS—Senators Crain, McCormick, Ripetoe, Thompson, Wortham—5.

NAYS—Senators Blassingame, Brown, Burton, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCulloch, Moore, Motley, Piner, Smith, Terrell—19.

NOT VOTING—Senators Ball, Brady, Stephens, Storey—4.

Senator Piner moved that the rules be suspended to place House Bill No. 339 on its second reading.

Lost, by the following vote (four-fifths being required):

YEAS—Senators Ball, Blassingame, Burton, Francis, Ford, Grace, Guy, Ledbetter, Martin, McCulloch, Moore, Motley, Piner, Smith, Stephens, Wortham—16.

NAYS—Senators Brown, Crain, Douglass, Edwards, Henry J. R., Henry F. M., McCormick, Ripetoe, Storey, Terrell—10.

NOT VOTING—Senators Brady, Thompson—2.

Senator Grace, Chairman of the Committee on Enrolled Bills, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate:

Your Committee on Enrolled Bills have carefully examined, compared and found correctly enrolled, Senate Bill No 381, entitled, "An Act to provide for the transferring of all criminal cases in which indictments have been found, to the proper courts having jurisdiction thereof."

The same has been properly signed and presented to the Governor, this day, at 12:30 o'clock M., for his approval.

GRACE, *Chairman.*

Senator Crain, from the Committee on Engrossed Bills, submitted the following report:

Hon. Wells Thompson, President pro tem. of the Senate:

Your Committee on Engrossed Bills have had under consideration the following bills, and found the same correctly engrossed:

Senate Bill No. 123, entitled—"An Act for the benefit of owners of stallions, jacks and bulls."

Senate Bill No. 155, entitled—"An Act to amend 'An Act to adopt and establish a penal code for the State of Texas,' approved August 28, 1856, and find the same correctly engrossed."

CRAIN, *for Committee.*

Senator Ball in the chair.

On motion of Senator Guy, the rules were suspended, and House Bill No. 434, "An Act making an appropriation to defray the contingent expenses of the session of the Fifteenth Legislature," was taken up and read first time.

On motion of Senator Storey, the rules were further suspended, to place the bill on its second reading, by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Crain, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCormick, McCulloch, Moore, Motley, Ripetoe, Smith, Stephens, Storey, Terrell, Wortham—25.

NAYS—Senator Piner—1.

NOT VOTING—Senators Brady, Thompson—2.

Bill read second time.

Senator Storey offered the following amendment:

Amend by striking out, "\$5,000," and inserting, "\$15,000."

Adopted.

Bill passed to a third reading.

Senator Guy moved to suspend the rules to place the bill on its third reading.

Carried, by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Crain, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCormick, Moore, Motley, Ripetoe, Smith, Stephens, Storey, Thompson, Wortham—23.

NAYS—Senator Piner—1.

NOT VOTING—Senators Brady, Douglass, McCulloch, Terrell—4.

Bill read third time and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Crain, Douglass, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbet-

ter, Martin, McCormick, McCulloch, Moore, Motley, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—26.

NAYS—Senator Piner—1.

NOT VOTING—Senator Brady—1.

On motion of Senator Smith, the rules were suspended, and House Bill No. 339, "An Act to provide for the speedy assessment and collection of taxes upon land and real estate in cases where such property has been subject by law to taxation, but the assessment thereof has been omitted," was taken up, 60 copies ordered printed, and made the special order for Monday, at 10 o'clock A. M.

On motion of Senator Burton, the rules were suspended, and House Bill No. 436, "An Act to establish an Agricultural and Mechanical College for the benefit of colored youths of the State of Texas," was taken up and read first time.

Senator Edwards moved to suspend the rules, and place the bill on its second reading.

Carried, by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Crain, Edwards, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Storey, Wortham—22.

NAYS—Senator Francis—1.

NOT VOTING—Senators Brady, Douglass, Stephens, Terrell, Thompson—5.

Bill read second time and passed to a third reading.

Senator Burton moved to suspend the rules, and place the bill on its third reading.

Carried, by the following vote:

YEAS—Senators Ball, Blassingame, Burton, Crain, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCormick, McCulloch, Motley, Piner, Ripetoe, Storey, Terrell, Thompson, Wortham—22.

NAYS—None.

NOT VOTING—Senators Brown, Brady, Douglass, Moore, Smith, Stephens—6.

Bill read third time, and passed by the following vote:

YEAS—Senators Ball, Blassingame, Burton, Crain, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCormick, McCulloch, Motley, Piner, Ripetoe, Smith, Storey, Terrell, Thompson, Wortham—23.

NAYS—None.

NOT VOTING—Senators Brady, Brown, Douglass, Moore, Stephens—5.

On motion of Senator Wortham, the message of His Excellency, the Governor, was taken up, read, and its consideration set for 9:30 A. M. Monday next.

EXECUTIVE OFFICE, STATE OF TEXAS, }
AUSTIN, August 12, 1876. }

To the Hon. Senate of the State of Texas:

GENTLEMEN: I respectfully ask your advice and consent to the following appointments, to-wit:

Wm. Hensley, Notary Public for Victoria county.

J. M. Ratchford, Notary Public for Refugio county.

M. R. Williford, Notary Public for Upshur county.
John L. Leland, Notary Public for Marion county.
W. T. Atkins, " " " "
Chas. Mason, Notary Public for Gonzales county.
R. H. Leonard, Notary Public for Jefferson county.
Oscar Starke, Notary Public for Guadalupe county.
C. C. Haines, Notary Public for Lavaca county, in place of B. B. Haines.
Robert J. Kleberg, Notary Public for DeWitt county, in place of R. E. Kleberg.
H. C. Gray, Notary Public for Harrison county, in place of A. C. Gray.
G. W. Hudson, Notary Public for Anderson county, in place of R. M. Jackson (failed to qualify).
W. B. Bailey, Notary Public for Upshur county, in place of W. S. Bailey.
W. D. Credile, Notary Public for Camp county, in place of J. G. Credile.
Very respectfully,

RICHARD COKE.

On motion of Senator Smith, the rules were suspended, and Senate Bill No. 247, "An Act to carry into effect Section 39, of Article 16, of the Constitution," was taken up.

Senator Francis moved a call of the Senate.

Call sustained.

Senator Martin moved to adjourn until 4 o'clock P. M.

Carried, by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Douglass, Edwards, Francis, Ford, Grace, Henry J. R., Henry F. M., Ledbetter, Martin, McCulloch, Motley, Thompson, Wortham—16.

NAYS—Senators Burton, Crain, Guy, McCormick, Piner, Ripetoe, Smith, Storey—8.

NOT VOTING—Senators Brady, Moore, Stephens, Terrell—4.

AFTERNOON SESSION.

Senate met pursuant to adjournment. President *pro tem.* in the chair. Roll called. Quorum present.

On motion of Senator Francis, the rules were suspended, unfinished business postponed, and Senate Bill No. 385, "An Act to provide for the survey and sale of certain personal property belonging to the State," was taken up, read second time, and ordered engrossed.

Senator Francis moved a further suspension of the rules, to place the bill on its third reading.

Carried by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Douglass, Edwards, Francis, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCulloch, Moore, Motley, Ripetoe, Smith, Stephens, Thompson, Wortham—21.

NAYS—None.

NOT VOTING—Senators Brady, Crain, Ford, McCormick, Piner, Storey, Terrell—7.

Bill read third time, and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Douglass, Ed-

wards, Francis, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCulloch, Moore, Motley, Ripetoe, Smith, Stephens, Thompson, Wortham—21.

NAYS—None.

NOT VOTING—Senators Brady, Crain, Ford, McCormick, Piner, Storey, Terrell—7.

On motion of Senator Grace, the rules were suspended, and Senate Joint Resolution No. 386, "Authorizing the Governor to give bond for the quota of arms the State of Texas is entitled to under joint resolution of Congress of July 3, 1876," was taken up, and read second time.

Senator Grace offered the following amendment:

"As the session of this Legislature is drawing rapidly to a close, and it being necessary that this resolution be of effect immediately, creates an emergency, as is contemplated by the Constitution, and it is therefore enacted that this resolution be of force and effect from and after its passage."

Adopted.

The bill ordered engrossed.

Senator Grace moved that the rules be still further suspended, to place the bill on its third reading.

Carried, by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Crain, Douglass, Edwards, Francis, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCulloch, Moore, Motley, Smith, Stephens, Thompson, Wortham—20.

NAYS—Senators Burton, Ripetoe—2.

NOT VOTING—Senators Brady, Francis, Ford, McCormick, Piner, Storey, Terrell—6.

Bill read third time, and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Crain, Douglass, Edwards, Francis, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McCulloch, Moore, Motley, Smith, Stephens, Terrell, Thompson, Wortham—21.

NAYS—Senator Ripetoe—1.

NOT VOTING—Senators Brady, Burton, Ford, McCormick, Piner, Storey—6.

Senate Bill No. 247, being the unfinished business, was resumed and the bill read third time.

Senator Blassingame moved a call of the Senate.

Call seconded.

Roll called.

ABSENT—Senators Brady, Ford, McCormick, Piner.

Senator Smith moved to excuse Senator Storey for this afternoon.

Carried, by the following vote:

YEAS—Senators Ball, Brown, Burton, Crain, Edwards, Douglass, Ledbetter, McCulloch, Moore, Motley, Ripetoe, Smith, Stephens, Terrell, Thompson, Wortham—16.

NAYS—Senators Blassingame, Francis, Grace, Henry J. R., Henry F. M., Martin—6.

NOT VOTING—Senators Brady, Ford, Guy, McCormick, Piner—5.

Senator Brown moved to excuse the remaining absentees.

Senator Martin moved a call of the Senate.

Call seconded.

Senator Crain raised a point of order, that the call of the Senate was out of order, pending the motion to excuse.

The point was decided not well taken.

Senator Crain appealed from the decision of the Chair.

The Chair was sustained by the following vote :

YEAS—Senators Ball, Blassingame, Burton, Francis, Ford, Grace, Henry J. R., Henry F. M., Martin, McCormick, Moore, Motley, Terrell, Wortham—14.

NAYS—Senators Brown, Crain, Edwards, Guy, Ledbetter, McCulloch, Piner, Ripetoe, Smith, Stephens—10.

NOT VOTING—Senators Brady, Douglass, Storey, Thompson—4.

Roll called.

ABSENT—Senator Brady—1.

Senator Crain moved to excuse Senator Brady and moved the previous question on the motion.

Senator Francis moved a call of the Senate.

Call sustained.

Roll called.

ABSENT—Senator Brady—1.

On motion of Senator Stephens, the rules were suspended, and House Bill No. 203, entitled, "An Act supplementary to an act to create and organize the county of Somerville," approved March 13, 1875, was taken up, read third time, and passed.

Senator McCormick introduced a bill, entitled, "An Act to provide for the payment of claims for purchase of books, apparatus and furniture for public schools, made by Boards of School Directors under the authority of an act, entitled, 'An Act to establish a system of public free schools for the State of Texas,' approved August 13, 1870; and under an act entitled, "An Act to organize and maintain a system of public free schools in the State of Texas," approved April 24, 1871.

Read by caption, and referred to Committee on Finance.

Senate Bill No. 102, entitled, "An Act to amend Article 393 of an act to adopt and establish a penal code for the State of Texas," approved August 28, 1876, was taken up.

On motion of Senator Blassingame, the Senate adjourned until 9 o'clock Monday morning.

ONE HUNDREDTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, August 14, 1876. }

Senate met pursuant to adjournment. President *pro tem.* in the chair. Roll called. Quorum present. Prayer by the Chaplain.

Journal of Saturday adopted.

The following bills were taken up by the Chair and referred :

House Bill No. 126—"An Act to enforce the collection of delinquent taxes upon lands assessed since January, 1870.

Referred to Committee on Finance.

House Bill No. 407—"An Act providing for the filling of vacancies in the offices of County Treasurer, County Surveyor and Hide Inspector."

Referred to Judiciary Committee No. 1.